

Jeffery Elshout FILED

JAN 11 2022

DEPUTY CLERK
WEBSTER PARISH

CIVIL SUIT NUMBER
DIVISION

79756
C

LAJARVIS SUMLIN

26th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF WEBSTER

GREAT WEST CASUALTY COMPANY,
LEO HICKS CREOSOTING COMPANY, INC.
AND MICHAEL WATSON

STATE OF LOUISIANA

PETITION FOR DAMAGES

The petition of Lajarvis Sumlin, who is domiciled in Shreveport, Caddo Parish, Louisiana, respectfully represents that:

1.

Made defendants herein are:

- a) Great West Casualty Company, a foreign insurance corporation authorized to do and doing business in this parish and state;
- b) Leo Hicks Creosoting Company, Inc., a Texas corporation authorized to do and doing business in this parish and state; and
- c) Michael Watson, who is domiciled in Alto, Cherokee County, Texas.

2.

On January 25, 2021, Petitioner, Lajarvis Sumlin, was driving his 2019 Nissan Frontier bearing VIN 1N6AD0ER8KN871604 in an easterly direction on Louisiana Interstate 20 Webster Parish, Louisiana.

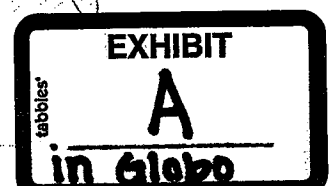
3.

At that same time, Defendant, Michael Watson, was driving a 2005 Peterbilt tractor bearing VIN 1XP5DB9X95D826544 owned by Leo Hicks Creosoting Company, Inc. with its permission, in an easterly direction when he overtook and struck Petitioner's vehicle from the rear.

4.

Defendant, Michael Watson, was squarely within the course and scope of his employment with Defendant, Leo Hicks Creosoting Company, Inc., at the time of the accident; therefore, Defendant, Leo Hicks Creosoting Company, Inc., is vicariously liable for the negligent acts of its employee, Defendant, Michael Watson, pursuant to the doctrine of *Respondeat Superior*.

ATTEST *[Signature]*
Deputy Clerk District Court
WEBSTER PARISH, LA.



5.

The collision was caused by the negligence and fault of Defendant, Michael Watson, in the following particulars:

- a) Failing to maintain a proper lookout;
- b) Failing to maintain control of his vehicle;
- c) Following too closely;
- d) Failing to stop;
- e) Failing to pay attention to the traffic;
- f) Leaving the scene of a motor vehicle accident; and
- g) Violating the motor vehicle and traffic laws of the Parish of Webster and the State of Louisiana.

6.

As a result of the foregoing collision, Ljarvis Sumlin sustained severe and painful physical injuries.

7.

As a result of the foregoing injuries, Petitioner, Ljarvis Sumlin, is entitled to recover past and future damages for the following categories of loss:

- a) Physical pain and suffering;
- b) Mental anguish and emotional distress;
- c) Loss of enjoyment of life;
- d) Disability;
- e) Medical expenses;
- f) Lost earnings and lost earning capacity; and
- g) Property damage

8.

At the time of the foregoing collision, Defendant, Michael Watson was insured under a policy of automobile liability insurance issued to Leo Hicks Creosoting Company, Inc. by Great West Casualty Company, under the terms and provisions by which the latter assumed liability for damages such as herein sued for by Petitioner.

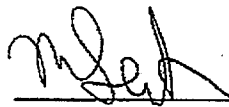
9.

Defendants are jointly and solidarily liable because they are each liable for Petitioner's damages.

Wherefore, Petitioner prays that Defendants, Great West Casualty Company, Leo Hicks Creosoting Company, Inc. and Michael Watson be cited according to law and served with a copy of this petition, and after due proceedings, there be judgment rendered herein in favor of Petitioner, Laj Jarvis Sumlin, and against Defendants, Great West Casualty Company, Leo Hicks Creosoting Company, Inc. and Michael Watson, jointly and in solido, for such amount of damages as reasonable in the premises, together with legal interest thereon from date of judicial demand, until paid, and for all costs of this proceeding.

Respectfully submitted,

GORDON MCKERNAN INJURY ATTORNEYS



MATTHEW T. SEATON (38398)

4207 Parliament Drive, Suite A

Alexandria, Louisiana 71303

Telephone: (318) 319-2285

Facsimile: (318) 704-0584

ATTORNEY FOR PLAINTIFF

SERVICE INSTRUCTIONS:

Great West Casualty Company
Through its agent for service of process
Louisiana Secretary of State
8585 Archives Avenue
Baton Rouge, LA 70809

Leo Hicks Creosoting Company, Inc.
Via Louisiana Long Arm Statute
11840 US Highway 69 South
Alto, TX 75925

Michael Watson
Via Louisiana Long Arm Statute
484 CR 2807
Alto, TX 75925

Matthew Seaton, Attorney
mseaton@getgordon.com
D: (318) 319-2285
F: (318) 704-0584



4207 Parliament, Ste. A
Alexandria, LA 71303

Kellie Poston, Paralegal
kposton@getgordon.com
D: (318) 319-2297
F: (318) 704-0584

January 07, 2022

Writer's email: mseaton@getgordon.com

Clerk of Court - Webster Parish
P.O. Box 370
410 Main St.
Attn: Civil Dept
Minden, LA 71058

Jeffery Elshout

FILED

JAN 11 2022

**DEPUTY CLERK
WEBSTER PARISH**

RE: Lajarvis Sumlin v. Great West Casualty Company, et al
Suit Number: *A9150*; 26th JDC, Webster Parish, Louisiana

Please find enclosed a Petition for Damages in reference to the above captioned matter. Please file same into the court record and return a stamped copy to me in the enclosed envelope. I have enclosed my firm's check to cover the cost of filing. If you have any questions, please do not hesitate to give me a call.

In accordance with La. C.C.P. article 1572, you are requested to give us written notice by mail ten days in advance of the date fixed for the trial or hearing of this case, whether on exceptions, motions, rules, or the merits, unless a longer period is required by law. We also request immediate notice of all orders or judgments, whether interlocutory or final, made or rendered in this case upon the rendition thereof as provided by La. C.C.P. articles 1913 and 1914, including notice of judgment in the event this case be taken under advisement or if the judgment is not signed at the conclusion of the trial.

With kind regards, I am

Sincerely yours,

A handwritten signature in black ink, appearing to read 'm. seaton'.

Matthew Seaton
Gordon McKernan Injury Attorneys

MTS/kbp
Enclosures

Please note to ensure proper delivery of any correspondence to Matthew Seaton, remit to the above listed address only.

www.getgordon.com

OFFICES:

BATON ROUGE | GONZALES | DENHAM SPRINGS | LAFAYETTE | SHREVEPORT | LAKE CHARLES | ALEXANDRIA | HAMMOND | MONROE | ZACHARY



26TH JUDICIAL DISTRICT COURT
PARISH OF WEBSTER
STATE OF LOUISIANA

CITATION

LAJARVIS SUMLIN
VS
GREAT WEST CASUALTY COMPANY



CASE # 79756
DIVISION C
JUDGE R LANE PITTARD

TO: GREAT WEST CASUALTY COMPANY
THROUGH ITS AGENT FOR SERVICE OF PROCESS
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVE
BATON ROUGE, LA 70809

PARISH OF WEBSTER

YOU ARE HEREBY SUMMONED, to comply with the demand contained in the PETITION of which a true and correct copy accompanies this citation, or make an appearance either by filing a pleading or otherwise, in the 26TH JUDICIAL DISTRICT COURT in and for the Parish of WEBSTER, State of Louisiana, within TWENTY- ONE (21) CALENDAR DAYS after the service hereof, under penalty of default.

Issued by the Clerk of Court on this 12th day of January 2022.

/s/ TIFFANY ELSHOUT
TIFFANY ELSHOUT, Deputy Clerk for
HOLLI VINING, Clerk of Court

SERVICE INFORMATION

Received on: _____ Served on: _____ Time: _____ Returned on: _____

PERSONAL SERVICE _____ DOMICILIARY _____

UNABLE TO SERVE _____

- | | |
|--|--|
| <input type="checkbox"/> Not at this address | <input type="checkbox"/> Numerous attempts _____ times |
| <input type="checkbox"/> Vacant | <input type="checkbox"/> Received too late to serve |
| <input type="checkbox"/> Moved | <input type="checkbox"/> No longer works at this address |
| <input type="checkbox"/> No Such Address | <input type="checkbox"/> Need apartment/building number |
| | <input type="checkbox"/> Other _____ |

SERVICE \$ _____

MILEAGE \$ _____

TOTAL \$ _____

Served By: _____ # _____



26TH JUDICIAL DISTRICT COURT
PARISH OF WEBSTER
STATE OF LOUISIANA

LONG-ARM CITATION

LAJARVIS SUMLIN
VS
GREAT WEST CASUALTY COMPANY



CASE # 79756
DIVISION C
JUDGE R LANE PITTARD

TO: LEO HICKS CREOSOTING COMPANY INC
VIA LONG-ARM STATUTE RS 13.3201 ET SEQ

VIA LOUISIANA LONG ARM STATUTE
11840 US HIGHWAY 69 SOUTH
ALTO, TX 75925

PARISH OF WEBSTER

YOU ARE HEREBY SUMMONED, to comply with the demand contained in the PETITION of which a true and correct copy accompanies this citation, or make an appearance either by filing a pleading or otherwise, in the 26TH JUDICIAL DISTRICT COURT in and for the Parish of WEBSTER, State of Louisiana, within THIRTY (30) CALENDAR DAYS after the service hereof, under penalty of default.

Issued by the Clerk of Court on this 12th day of January 2022.

/s/ TIFFANY ELSHOUT
TIFFANY ELSHOUT, Deputy Clerk for
HOLLI VINING, Clerk of Court



26TH JUDICIAL DISTRICT COURT
PARISH OF WEBSTER
STATE OF LOUISIANA

LONG-ARM CITATION

LAJARVIS SUMLIN
VS
GREAT WEST CASUALTY COMPANY



CASE # 79756
DIVISION C
JUDGE R LANE PITTARD

TO: MICHAEL WATSON
VIA LOUISIANA LONG ARM STATUTE
484 CR 2807
ALTO, TX 75925

PARISH OF WEBSTER

YOU ARE HEREBY SUMMONED, to comply with the demand contained in the **PETITION** of which a true and correct copy accompanies this citation, or make an appearance either by filing a pleading or otherwise, in the 26TH JUDICIAL DISTRICT COURT in and for the Parish of WEBSTER, State of Louisiana, within **THIRTY (30) CALENDAR DAYS** after the service hereof, under penalty of default.

Issued by the Clerk of Court on this 12th day of January 2022.

/s/ TIFFANY ELSHOUT
TIFFANY ELSHOUT, Deputy Clerk for
HOLLI VINING, Clerk of Court

FILED

J. Mary Elshout JAN 11 2022

DEPUTY CLERK
WEBSTER PARISHLOUISIANA CIVIL CASE REPORTING
Civil Case Cover Sheet - LA. R.S. 13:4688 and
Part G, §13, Louisiana Supreme Court General Administrative Rules

This civil case cover sheet shall be completed by counsel for the petitioner, counsel's authorized representative, or by the self-represented litigant (if not represented by counsel) and submitted with the original petition filed with the court. The information should be the best available at the time of filing. This information does not constitute a discovery request, response or supplementation, and is not admissible at trial.

Suit Caption: Lajarvis Sumlin v. Great West Casualty Company, et al

Court: 26th Judicial District

Docket Number: 27756

Parish of Filing: Webster

Filing Date: 1/11/22

Name of Lead Petitioner's Attorney: Matthew T. Seaton

Name of Self-Represented Litigant: _____

Number of named petitioners: 1

Number of named defendants: 3

Type of Lawsuit: Please check the categories which most appropriately apply to this suit (no more than 3 categories should be checked):

- | | |
|---|---|
| <input checked="" type="checkbox"/> Auto: Personal Injury | <input checked="" type="checkbox"/> Auto: Property Damage |
| <input type="checkbox"/> Auto: Wrongful Death | <input type="checkbox"/> Auto: Uninsured Motorist |
| <input type="checkbox"/> Asbestos: Property Damage | <input type="checkbox"/> Asbestos: Personal Injury/Death |
| <input type="checkbox"/> Product Liability | <input type="checkbox"/> Premise Liability |
| <input type="checkbox"/> Intentional Bodily Injury | <input type="checkbox"/> Intentional Property Damage |
| <input type="checkbox"/> Intentional Wrongful Death | <input type="checkbox"/> Unfair Business Practice |
| <input type="checkbox"/> Business Tort | <input type="checkbox"/> Fraud |
| <input type="checkbox"/> Defamation | <input type="checkbox"/> Professional Negligence |
| <input type="checkbox"/> Environmental Tort | <input type="checkbox"/> Medical Malpractice |
| <input type="checkbox"/> Intellectual Property | <input type="checkbox"/> Toxic Tort |
| <input type="checkbox"/> Legal Malpractice | <input type="checkbox"/> Other Tort (describe below) |
| <input type="checkbox"/> Other Professional Malpractice | <input type="checkbox"/> Redhibition |
| <input type="checkbox"/> Maritime | <input type="checkbox"/> Class action (nature of case) |
| <input type="checkbox"/> Wrongful Death | |
| <input type="checkbox"/> General Negligence | |

Please briefly describe the nature of the litigation in one sentence of additional detail:

Automobile accident that occurred in Webster Parish, Louisiana, causing personal injuries to plaintiff.

Following the completion of this form by counsel, counsel's representative, or by the self-represented litigant, this document will be submitted to the Office of the Judicial Administrator, Supreme Court of Louisiana, by the Clerk of Court.

Name, address and contact information of person completing form:

Name Matthew T. Seaton Signature [Signature]

Address 4207 Parliament Drive, Suite A, Alexandria, LA 71303

Phone number: 318-319-2285 E-mail address: mseaton@getgordon.com



26TH JUDICIAL DISTRICT COURT
PARISH OF WEBSTER
STATE OF LOUISIANA

CITATION

FILED

LAJARVIS SUMLIN
VS
GREAT WEST CASUALTY COMPANY

JAN 31 2022

DEPUTY CLERK
WEBSTER PARISH



CASE # 79756
DIVISION C
JUDGE R LANE PITTARD

TO: GREAT WEST CASUALTY COMPANY
THROUGH ITS AGENT FOR SERVICE OF PROCESS
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVE
BATON ROUGE, LA 70809

PARISH OF WEBSTER

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Issued by the Clerk of Court on this 12th day of January 2022.

/s/ TIFFANY ELSHOUT
TIFFANY ELSHOUT, Deputy Clerk for
HOLLI VINING, Clerk of Court

I made service on the named party through the
Office of the Secretary of State on

JAN 18 2022

by tendering a copy of this document to:

JULIE NESBITT

DY. M. LOCKWOOD #0803

Deputy Sheriff, Parish of East Baton Rouge, LA

SERVICE INFORMATION

Received on: _____ Served on: _____ Time: _____ Returned on: _____

_____**PERSONAL SERVICE**

_____**DOMICILIARY**

_____**UNABLE TO SERVE**

____ Not at this address
____ Vacant
____ Moved
____ No Such Address

____ Numerous attempts _____ times
____ Received too late to serve
____ No longer works at this address
____ Need apartment/building number
____ Other _____

SERVICE \$ _____

MILEAGE \$ _____

TOTAL \$ _____

Served By: _____ # _____

FILED

CIVIL SUIT NUMBER 79756
DIVISION C

JAN 31 2022
DEPUTY CLERK
WEBSTER PARISH

LAJARVIS SUMLIN

26th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF WEBSTER

GREAT WEST CASUALTY COMPANY,
LEO HICKS CREOSOTING COMPANY, INC.
AND MICHAEL WATSON

STATE OF LOUISIANA

AFFIDAVIT OF SERVICE UNDER LSA-R.S. 13:3204

STATE OF LOUISIANA


PARISH OF RAPIDES

BE IT KNOWN, that on this the 28th day of January, 2022, before me, the undersigned Notary Public, in and for the Parish of Rapides, State of Louisiana, personally came and appeared Kellie Poston, who, after being first duly sworn, did depose and say:

That in accordance with LSA-R.S. 13:3204, she served the defendant in the captioned matter, Leo Hicks Creosoting Company, Inc., by mailing through the U.S. Postal Service a certified copy of the citation and petition to the defendant, Leo Hicks Creosoting Company, Inc., whose address is 11840 Highway 69 South, Alto, Texas, on January 17, 2022, said process being properly enclosed in an envelope properly addressed to the defendant with sufficient postage affixed, which was received by the defendant on January 20, 2022, as appears from the delivery notice of the US Postal Service, and the US Postal Service Tracking report, which are attached hereto and made a part hereof.


KELLIE POSTON

SWORN TO AND SUBSCRIBED before me, Notary, this 28th day of January, 2022.


MATTHEW T. SEATON
Bar Roll #38398

7018 0040 0000 7715 4572

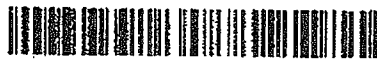
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<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To <u>Leo Hicks</u>	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	

PS Form 3800, April 2015 PSN 7530-02-000-9059 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p><input checked="" type="checkbox"/> Complete items 1, 2, and 3.</p> <p><input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you.</p> <p><input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.</p> <p>1. Article Addressed to:</p> <p><u>Leo Hicks Creosoting Co.</u> <u>11840 Highway 69 S</u> <u>Aledo, TX 75925</u></p> <p> 9590 9402 6380 0303 2331 77</p> <p>2. Article Number (Transfer from service label): 7018 0040 0000 7715 4572</p>	<p>A. Signature <u>X TASHA JACKSON</u> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Black, R, C, I, 9</u></p> <p>C. Date of Delivery <u>1-20-22</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p>

PS Form 3811, July 2020 PSN 7530-02-000-8059 Domestic Return Receipt

1/28/22, 9:46 AM

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✓ Delivered, Front Desk/Reception/Mail Room

January 20, 2022 at 11:35 am
ALTO, TX 75925

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Tracking History



January 20, 2022, 11:35 am

Delivered, Front Desk/Reception/Mail Room
ALTO, TX 75925

Your item was delivered to the front desk, reception area, or mail room at 11:35 am on January 20, 2022 in ALTO, TX 75925.

January 20, 2022, 9:16 am

Arrived at Post Office
ALTO, TX 75925

Matthew Seaton, Attorney
mseaton@getgordon.com
D: (318) 319-2285
F: (318) 704-0584



Kellie Poston, Paralegal
kposton@getgordon.com
D: (318) 319-2297
F: (318) 704-0584

January 28, 2022

Clerk of Court - Webster Parish
P.O. Box 370
Minden, LA 71055

FILED
JAN 31 2022
DEPUTY CLERK
WEBSTER PARISH

RE: I. Jarvis Sumlin v. Great West Casualty Company, et al
Suit Number: 79756-C

Please find enclosed an original Affidavit of Service in reference to the above captioned matter. Please file same into the court record and return a stamped copy to me.

If you have any questions, please do not hesitate to give me a call.

With kind regards, I am

Sincerely yours,

Matthew Seaton
Attorney at Law
Gordon McKernan Injury Attorneys

MTS/kbp
Enclosures

Please note to ensure proper delivery of any correspondence to Matthew Seaton, remit to the above listed address only.

www.getgordon.com

OFFICES:

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